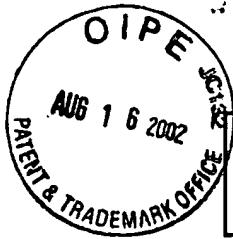


08-19-02

AUG 2002
CASE 4-1183538

AF/TECH CENTER 1600/2900
RECEIVED
AUG 2002
2002



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EL820010471US

Express Mail Label Number

8/16/02
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1617

NEUER ET AL.

Examiner: A. Berman

APPLICATION NO: 09/738,212

FILED: DECEMBER 15, 2000

FOR: PHARMACEUTICAL COMPOSITIONS OF MACROLIDES OR
CYCLOSPORINE WITH A POLYETHOXYLATED SATURATED
HYDROXY-FATTY ACID

Assistant Commissioner for Patents
Washington, D.C. 20231

NOTICE OF APPEAL

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Office Action dated May 21, 2002 finally rejecting claims 21-30 and 33.

- Please charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of **\$320** for payment of the appeal fee.
- A one-month extension is requested pursuant to 37 CFR §1.136(a). Charge Deposit Account No. 19-0134 in the name of Novartis Corporation in the amount of **\$110** for payment of the extension fee.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis Corporation.

08/21/2002 CVO111 00000042 190134 09738212

Respectfully submitted,

01 FC:119 320.00 CH
02 FC:115 110.00 CH

Novartis Corporation
Patent and Trademark Dept.
564 Morris Avenue
Summit, NJ 07901-1027


Gabriel Lopez
Attorney for Applicants
Reg. No. 28,440
(908) 522-6933

encl: This page in duplicate

Date: August 16, 2002